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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial #: 09/444,739  
Applicant: Michael G. Mikurak  
Filed: November 22, 1999  
Title: TECHNOLOGY SHARING DURING DEMAND AND SUPPLY PLANNING IN A  
NETWORK-BASED SUPPLY CHAIN ENVIRONMENT  
  
TC/AU: 3623  
Examiner: M. Irshadullah  
Docket #: 060021-335501

CERTIFICATE OF TRANSMISSION

I hereby certify under 37 CFR 1.8 that this correspondence is being transmitted by facsimile to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" via the facsimile number 703-872-9306 on May 21, 2004.

Janet Byrne

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUPPLEMENTAL RESPONSE

In response to the final Office Action mailed February 26, 2004 (hereinafter "Office Action"), Applicant filed an Amendment and Response, dated April 26, 2004, arguing that the Examiner, contrary to established case law, failed to consider a limitation presented in the preamble in determining whether the prior art cited by the Examiner rendered Applicant's claimed invention obvious under 35 U.S.C. § 103(a). Applicant now submits this Supplemental Response specifically regarding the relevance of *Dugan et al.*, U.S. Patent No. 6,363,411 B1 (hereinafter "*Dugan*"), and Applicant asserts that *Dugan* is irrelevant because

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Applicant's invention was conceived prior to the effective date of *Dugan*, as attested to in the attached declaration. Please find the following sections:

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